IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 11TH OCTOBER 2007 / 19TH ASWINA 1929

Crl.MC.No. 3137 of 2007()

CRIME NO.293/02 OF VELLARADA POLICE STATION (CRIME NO.337/CR/04)
CBCID, THIRUVANANTHAPURAM

PETITIONER: ACCUSED NO.8

SUBRAMANI, AGED 43,
S/O MUTHUSWAMY KOWNDAR, NO.51,
THANDAR KOWNDAR PALAYAM, THORANAVAVI POST,
ERODE DISTRICT, TAMILNADU,

BY ADV. SRI.SASTHAMANGALAM S. AJITHKUMAR
SRI.SHAJIN S.HAMEED

RESPONDENTS:

THE CIRCLE INSPECTOR OF POLICE
CBCID, THIRUVANANTHAPURAM,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.M.S.BREEZ

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 11/10/2007 ALONG WITH CRL.M.C.NOS.3138 & 3139 OF 2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

Crl.M.C.Nos.3137, 3138 & 3139 of 2007

Dated this the 11th day of October, 2007

O R D E R

The common petitioner has been granted bail in 3 different separate crimes registered against him. The bail was granted subject to conditions. The conditions have been progressively modified. He is now obliged to appear before the Investigating Officer once a month as per order dated 6.2.2007. Later that order was clarified as per order dated 27.6.07 and the date on which such appearance is to be made was specified. The petitioner has been complying with that condition obviously from 6.2.2007 subject to the further clarification on 27.06.07. The petitioner has now come before this Court for further modification of the said condition.

2. The first question that I want to ask the counsel is why the petitioner has chosen to come to this Court after 3 months and why an application for further modification has not been made to the learned Magistrate to modify the conditions now remaining in force. I get no satisfactory explanations. I am, in these circumstances, satisfied that it is not for the High Court to entertain an application under Section 482 Cr.P.C at this stage. The petitioner can approach the learned Sessions Judge again and seek further modification of the condition which has remained in force for the past about 3 months. Needless to

say, the learned Sessions Judge shall have to be consider such application on merits and pass appropriate orders.

These Crl.M.Cs are, in these circumstances, dismissed, but with the above observations.

(R.BASANT, JUDGE)

rtr/-